

This application is a continuation of co-pending application Serial No. 09/724,657 filed November 28, 2000, which is a continuation-in-part of co-pending application Serial No. 09/556,224, filed on May 5, 2000, the disclosures of which are expressly incorporated herein by reference.

IN THE CLAIMS:

Please cancel Claims 1 through 24 and add the following new claims:

25. A passive needle guard, comprising:

a body having a cavity therein for receiving a medicine cartridge comprising one of a syringe, ampoule or vial for containing medicine, and the cartridge having a distal end for administering a medication from within the cartridge;

a shield slidably attached to the body, the body being biased to retract with respect to the shield from a first position wherein the distal end of the cartridge is exposed toward a second retracted position for withdrawing the distal end of the cartridge into the shield;

cooperating members on the body and the shield for holding the body and shield in the extended position; and

a latch member extending proximally from a proximal end of one of the shield and the body, the latch member being deflectable for disengaging the cooperating members upon depression of a plunger coupled to the medicine cartridge, whereby the body may be retracted to the retracted position,

26. A needle guard as in Claim 25 wherein the medicine cartridge is a prefilled syringe.
27. A needle guard as in Claim 25 wherein the medicine cartridge is a unit dose syringe.
28. A needle guard as in Claim 25 wherein the body is biased with respect to the shield by a spring disposed between the body and shield.
29. A needle guard as in Claim 25, further comprising a locking mechanism on a proximal end of the body for locking a medicine cartridge within the cavity.
30. A needle guard as in Claim 25 further comprising a medical cartridge within the cavity such that a distal end of the cartridge extends beyond the distal end of the body.
31. A passive needle guard as in Claim 30 wherein the distal end of the cartridge comprises a needle.
32. A needle as in Claim 25 wherein a plunger coupled to the medicine cartridge includes an edge for engaging the latch member.
33. A needle guard as in Claim 25 comprising a pair of latch members extending proximately from the proximal end of the shield.
34. A passive needle guard as in Claim 25 wherein the latch member comprises a proximal tip surface engageable by the plunger to deflect the latch member outward to disengage the cooperating members.

35. A needle guard as in Claim 25 further comprising one or more finger grips extending from the shield.
36. A needle guard as in Claim 25 wherein the body and shield comprise cooperating detents for substantially permanently securing the body in the retracted position.
37. A needle guard as in Claim 25 wherein the cooperating members on the shield and the body engage one another when the body is retracted to the retracted position thereby restricting subsequent movement of the body with respect to the shield.
38. A needle guard as in Claim 25 wherein the latch member comprises a finger extending from the shield toward a plunger of the medicine cartridge, the finger being deflectable radially outward to disengage a catch thereon from a mating catch on the body when the plunger is depressed.
39. A needle guard as in Claim 38 wherein the plunger includes a radial portion for engaging a proximal tip of the finger as the plunger is depressed, the finger being pushed by the radial portion as the plunger is depressed to deflect the finger radially outward to disengage the catch thereon from the mating catch on the body.
40. A needle guard as in Claim 25 wherein a distal force can be applied to the plunger while holding finger grips on the shield a predetermined distance from a patient's skin.

41. A needle guard as in Claim 40 wherein the shield remains substantially stationary with respect to a patient's skin while medication is injected into the patient.

42. A needle guard as in Claim 25 wherein the body is biased with respect to the shield by a spring having a non-linear spring rate to enable the body to retract at a first rate if the needle guard is in contact with a patient's skin and to retract at a second faster rate as the needle guard is retracted from a patient's skin.

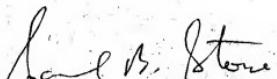
43. A needle guard as in Claim 25 including a finger grip on the shield, and the body including a flange on a proximal end thereof for preventing a user's fingers from contacting a proximal end of the shield.

Commissioner is authorized to charge Counsel's Deposit Account No. **150665** for the necessary fees in the amount of **\$375.00** and is authorized to charge any additional fees that may be required and to credit any overpayments to said Deposit Account **150665**.

Respectfully submitted,

Orrick, Herrington & Sutcliffe LLP

Dated: 7-18-03 By:


Samuel B. Stone
Attorneys for Applicant
Reg. No. 19,297

Orrick, Herrington & Sutcliffe LLP
Customer No. 34313
4 Park Plaza, Suite 1600
Irvine, California 92614-2558
Phone: (949) 567-6700
Facsimile: (949) 567-6710